

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

WONG, *individually and on behalf of others
similarly situated*,

Plaintiff,

-against-

**THE JOHN ALLAN COMPANY AND JOHN
ALLAN**

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:

DATE FILED: 12/14/2022

20-cv-09800 (ALC)

ORDER

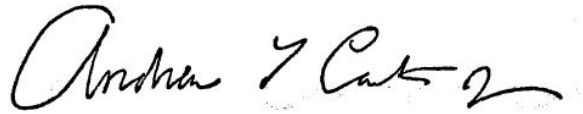
ANDREW L. CARTER, JR., United States District Judge:

The Court is in receipt of the Parties' settlement agreement. ECF No. 38. This action was originally initiated on November 20, 2020 and is brought under the Fair Labor Standards Act ("FLSA") and the New York Labor Law ("NYLL"). ECF No. 1. Absent approval from the district court, parties cannot settle their FLSA claims through a private stipulated dismissal with prejudice. *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 200 (2d Cir. 2015). The district court must scrutinize the settlement agreement to determine that the settlement is "fair and reasonable." *Wolinsky v. Scholastic Inc.*, 900 F. Supp. 2d 332, 335 (S.D.N.Y. 2012).

Plaintiff has not clearly indicated the allocation of attorney's fees in this matter. The Court requires this information to complete its inquiry. In light of this concern, the Court is not prepared to approve the settlement agreement at this time. The parties are directed to submit this information on or by **December 16, 2022**.

SO ORDERED.

Dated: December 14, 2022
New York, New York

A handwritten signature in black ink, reading "Andrew L. Carter, Jr.", written in a cursive style.

ANDREW L. CARTER, JR.
United States District Judge